

FILED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

AUG - 3 2005

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA

v.

MARCUS JABOR ALLS

CR. NO. 2:05CR175-T

[18 USC 922(g)(1)]

INDICTMENT

The Grand Jury charges:

COUNT 1

On or about January 22, 2005, in Pike County, within the Middle District of Alabama,

MARCUS JABOR ALLS,

defendant herein, having been convicted of the following felony, a crime punishable by imprisonment for a term exceeding one year under the laws of the State of Alabama, to-wit:

- 1) October 7, 1998, Burglary 2nd degree, in the Circuit Court of Calhoun County, Alabama, CC-98-362;

did knowingly possess in and affecting commerce firearms, to-wit:

- 1) A Lorcin Engineering, Model L 380, .380 caliber handgun, serial number 438634;
- 2) A Raven Arms, Model MP25, .25 caliber handgun, serial number 1741546;

all in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION

A. Count 1 of this indictment is hereby repeated and incorporated herein by reference.

B. Upon conviction for the violation of Title 18, United States Code, Section 922(g)(1), as alleged in Count 1 of this indictment, the defendant,

Marcus Jabor Alls,

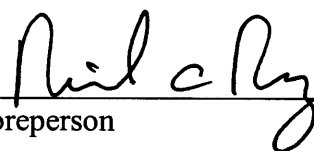
shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense.

C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
 - (2) has been transferred, sold to, or deposited with a third person;
 - (3) has been placed beyond the jurisdiction of the court;
 - (4) has been substantially diminished in value; or,
 - (5) has been commingled with other property which cannot be divided without difficulty;
- the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an order of this Court forfeiting any other property of said defendant up to the value of the property described in paragraph B above.

All in violation of Title 18, United States Code, Section 922.

A TRUE BILL:


Foreperson


LEURA GARRETT CANARY
United States Attorney


VERNE H. SPEIRS
Assistant United States Attorney